STATE OF CONNECTICUT

House of Representatives

General Assembly

File No. 248

February Session, 2016

Substitute House Bill No. 5544

House of Representatives, March 29, 2016

The Committee on Public Safety and Security reported through REP. DARGAN of the 115th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE CONSOLIDATION OF PUBLIC SAFETY ANSWERING POINTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. Section 28-24 of the general statutes is repealed and the
- 2 following is substituted in lieu thereof (*Effective January 1, 2018*):
- 3 (a) For the purposes of this section:
- 4 (1) "Regional emergency telecommunications center" means any
- 5 entity authorized by the Department of Emergency Services and Public
- 6 Protection as a public safety answering point that is responsible for
- 7 receiving and processing 9-1-1 calls for at least three municipalities,
- 8 and either serves a combined population of forty thousand or more, as
- 9 determined by the most recent population estimate by the Department
- of Public Health, or receives and processes twelve thousand or more 9-
- 11 <u>1-1 calls on an annual basis;</u>
- 12 (2) "Multitown public safety answering point" means any entity

13 authorized by the Department of Emergency Services and Public

- 14 Protection as a public safety answering point that is responsible for
- 15 receiving and processing 9-1-1 calls for two municipalities and either
- 16 serves a combined population of forty thousand or more, as
- 17 <u>determined by the most recent population estimate by the Department</u>
- of Public Health, or receives and processes twelve thousand or more 9-
- 19 1-1 calls on an annual basis;
- 20 (3) "9-1-1 call" means a voice, text message, video or image
- 21 communication that is routed to a public safety answering point by
- 22 <u>dialing or otherwise accessing the digits "9-1-1"; and</u>
- 23 (4) "Public safety answering point" has the same meaning as
- 24 provided in section 28-25.
- [(a)] (b) There is established an Office of State-Wide Emergency
- 26 Telecommunications which shall be within the Department of
- 27 Emergency Services and Public Protection. The Office of State-Wide
- 28 Emergency Telecommunications shall be responsible for developing
- 29 and maintaining a state-wide emergency service telecommunications
- 30 policy. In connection with said policy, the office shall:
- 31 (1) Develop a state-wide emergency service telecommunications
- 32 plan specifying emergency police, fire and medical service
- 33 telecommunications systems needed to provide coordinated
- 34 emergency service telecommunications to all state residents, including
- 35 the physically disabled;
- 36 (2) [Pursuant to the recommendations of the task force established
- 37 by public act 95-318 to study enhanced 9-1-1 telecommunications
- 38 services, and in accordance with regulations adopted by the
- 39 Commissioner of Emergency Services and Public Protection pursuant
- 40 to subsection (b) of this section, develop] <u>Develop</u> and administer [, by
- 41 July 1, 1997,] an enhanced emergency 9-1-1 program, which shall
- 42 provide for: (A) The replacement of existing 9-1-1 terminal equipment
- 43 for each public safety answering point, provided, if such public safety
- 44 answering point serves a population of less than forty thousand or

45 receives and processes less than twelve thousand 9-1-1 calls on an 46 annual basis, such public safety answering point complies with the 47 provisions of subsection (g) of this section; (B) the subsidization of regional [public safety] emergency telecommunications centers and 48 49 multitown public safety answering points, with enhanced 50 subsidization for municipalities with a population [in excess] of forty 51 thousand <u>or more</u>; (C) the establishment of a transition grant program 52 to encourage regionalization of public safety [telecommunications 53 centers] answering points; and (D) the establishment of a regional 54 emergency telecommunications service credit in order to support 55 regional dispatch services;

- 56 (3) Provide technical telecommunications assistance to state and local police, fire and emergency medical service agencies;
- 58 (4) Provide frequency coordination for such agencies;
- 59 (5) Coordinate and assist in state-wide planning for 9-1-1 and E 9-1-60 1 systems;
- 61 (6) Review and make recommendations concerning proposed 62 legislation affecting emergency service telecommunications;
- 63 (7) Review and make recommendations to the General Assembly 64 concerning emergency service telecommunications funding; and
- 65 (8) On or before January first of each year, prepare the annual 66 budget for the use of funds from the Enhanced 9-1-1 67 Telecommunications Fund and submit such budget to the Secretary of 68 the Office of Policy and Management for the secretary's review and 69 approval. On or before January fifteenth of each year, said secretary 70 shall submit a report concerning the proposed use of such funds to the 71 joint standing committees of the General Assembly having cognizance 72 of matters relating to appropriations and the budgets of state agencies, 73 finance, revenue and bonding, and public safety in accordance with 74 the provisions of section 11-4a.
- 75 [(b)] (c) The Commissioner of Emergency Services and Public

Protection shall adopt regulations, in accordance with chapter 54, establishing eligibility standards for state financial assistance to local or regional police, fire and emergency medical service agencies providing emergency service telecommunications. Not later than April 1, 1997, the commissioner shall adopt regulations, in accordance with chapter 54, in order to carry out the provisions of subdivision (2) of subsection [(a)] (b) of this section.

[(c)] (d) Within a time period determined by the commissioner to ensure the availability of funds for the fiscal year beginning July 1, 1997, to the regional [public safety] emergency telecommunications centers within the state, and not later than April first of each year thereafter, the commissioner shall determine the amount of funding needed for the development and administration of the enhanced emergency 9-1-1 program. The commissioner shall specify the expenses associated with (1) the purchase, installation and maintenance of new public safety answering point terminal equipment, (2) the implementation of the subsidy program, as described in subdivision (2) of subsection [(a)] (b) of this section, (3) the implementation of the transition grant program, described in subdivision (2) of subsection [(a)] (b) of this section, (4) the implementation of the regional emergency telecommunications service credit, as described in subdivision (2) of subsection [(a)] (b) of this section, provided, for the fiscal year ending June 30, 2001, and each fiscal year thereafter, such credit for coordinated medical emergency direction services as provided in regulations adopted under this section shall be based upon the factor of thirty cents per capita and shall not be reduced each year, (5) the training of personnel, as necessary, (6) recurring expenses and future capital costs associated with the telecommunications network used to provide emergency 9-1-1 service and the public safety services data networks, (7) for the fiscal year ending June 30, 2001, and each fiscal year thereafter, the collection, maintenance and reporting of emergency medical services data, as required under subparagraph (A) of subdivision (8) of section 19a-177, provided the amount of expenses specified under this subdivision shall not exceed two hundred fifty thousand dollars in any

76

77

78

79

80

81

82

83

84

85

8687

88

89

90

91

92

93

94

95

96

97 98

99

100

101

102

103

104

105

106

107

108

109

File No. 248 sHB5544

fiscal year, (8) for the fiscal year ending June 30, 2001, and each fiscal year thereafter, the initial training of emergency medical dispatch personnel, the provision of an emergency medical dispatch priority reference card set and emergency medical dispatch training and continuing education pursuant to subdivisions (3) and (4) of subsection (g) of section 28-25b, (9) the administration of the enhanced emergency 9-1-1 program by the Office of State-Wide Emergency Telecommunications, as the commissioner determines to be reasonably necessary, and (10) the implementation and maintenance of the public safety data network established pursuant to section 29-1j. The commissioner shall communicate the commissioner's findings to the Public Utilities Regulatory Authority not later than April first of each year.

- 124 (e) If a public safety answering point serves a population of less than forty thousand or receives and processes less than twelve thousand 9-1-1 calls on an annual basis, such public safety answering point shall provide written notice to the office, on or before July 1, 2018, stating the intention of such public safety answering point to (1) 129 become part of a regional emergency telecommunications center by 130 July 1, 2020, (2) become part of a multitown public safety answering point by July 1, 2020, or (3) remain a public safety answering point that serves a population of less than forty thousand or receives and processes less than twelve thousand 9-1-1 calls on an annual basis. If such public safety answering point intends to become part of a regional emergency telecommunications center or part of a multitown public safety answering point, the written notice shall identify the intended public safety answering point partner or partners.
 - (f) For the fiscal year commencing July 1, 2020, and each fiscal year thereafter, any public safety answering point that serves a population of less than forty thousand or receives and processes less than twelve thousand 9-1-1 calls on an annual basis that is not part of a regional emergency telecommunications center or part of a multitown public safety answering point shall not be eligible to receive any funds pursuant to this section.

111

112

113

114

115

116

117

118

119

120

121

122

123

125 126

127 128

131

132

133

134 135

136

137

138 139

140

141

142 143

145 (g) (1) If a public safety answering point serves a population of less 146 than forty thousand or receives and processes less than twelve thousand 9-1-1 calls on an annual basis on or after July 1, 2020, such 147 public safety answering point shall reimburse the office for expenses 148 149 the office incurs as a result of supporting and maintaining such public 150 safety answering point. Such reimbursement shall include, but not be 151 limited to, (A) the cost of replacing and maintaining 9-1-1 terminal 152 equipment, system infrastructure and network infrastructure, and (B) 153 the costs associated with training and certifying telecommunicators, as 154 defined in section 28-30, the initial training of emergency medical 155 dispatch personnel, the emergency medical dispatch priority reference card set and emergency medical dispatch training and continuing 156 157 education pursuant to subdivisions (3) and (4) of subsection (g) of 158 section 28-25b. Such public safety answering point shall only receive 9-159 1-1 terminal equipment, maintenance, training and certification as 160 provided or approved by the office.

- 161 (2) The office shall, not later than thirty days after receiving any
 162 moneys pursuant to subdivision (1) of this subsection, deposit such
 163 moneys in the Enhanced 9-1-1 Telecommunications Fund, established
 164 pursuant to section 28-30a, as amended by this act.
- [(d)] (h) The office may apply for, receive and distribute any federal funds available for emergency service telecommunications. The office shall deposit such federal funds in the Enhanced 9-1-1 Telecommunications Fund, established [by] pursuant to section 28-30a, as amended by this act.
- [(e)] (i) The office shall work in cooperation with the Public Utilities Regulatory Authority to carry out the purposes of this section.
- Sec. 2. Section 28-30a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2018*):
- 174 (a) There is established a fund to be known as the "Enhanced 9-1-1 175 Telecommunications Fund". The fund shall contain any moneys 176 required by law to be deposited in the fund, including, but not limited

177 to, any federal funds collected pursuant to subsection [(d)] (h) of 178 section 28-24, as amended by this act, fees assessed against subscribers 179 of local telephone service and subscribers of commercial mobile radio services pursuant to section 16-256g, as amended by this act, and 180 181 prepaid wireless E 9-1-1 fees collected pursuant to section 28-30e. The 182 Enhanced 9-1-1 Telecommunications Fund shall be held separate and 183 apart from all other moneys, funds and accounts. Interest derived from 184 the investment of the fund shall be credited to the assets of the fund. 185 Any balance remaining in the fund at the end of any fiscal year shall be 186 carried forward in the fund for the fiscal year next succeeding.

- (b) The State Treasurer, in consultation with the Secretary of the Office of Policy and Management, shall invest the moneys deposited in the Enhanced 9-1-1 Telecommunications Fund in the Short-Term Investment Fund authorized under section 3-27a or investments in which the Treasurer may invest assets of the trust funds which are listed in section 3-13c.
- 193 (c) The resources of the Enhanced 9-1-1 Telecommunications Fund 194 shall be used solely to fund the expenses, as determined by the 195 Commissioner of Emergency Services and Public Protection in 196 accordance with subsection [(c)] (d) of section 28-24, as amended by 197 this act, associated with the enhanced emergency 9-1-1 program. Any 198 surplus shall be carried forward to successive fiscal years and used for 199 the sole purpose of administering the enhanced emergency 9-1-1 200 program.
- Sec. 3. Section 4-124s of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016*):
- 203 (a) For purposes of this section:
- 204 (1) "Regional council of governments" means any such council 205 organized under the provisions of sections 4-124i to 4-124p, inclusive;
- 206 (2) "Municipality" means a town, city or consolidated town and 207 borough;

208 (3) "Legislative body" means the board of selectmen, town council, 209 city council, board of alderman, board of directors, board of 210 representatives or board of the warden and burgesses of a 211 municipality; [and]

- 212 (4) "Secretary" means the Secretary of the Office of Policy and 213 Management or the designee of the secretary; [.]
- 214 (5) "Regional emergency telecommunications center" means any 215 entity authorized by the Department of Emergency Services and Public
- 216 Protection as a public safety answering point that is responsible for
- 217 receiving and processing 9-1-1 calls for at least three municipalities
- 218 and serves a combined population of forty thousand or more, as
- 219 <u>determined by the most recent population estimate by the Department</u>
- 220 <u>of Public Health;</u>
- 221 (6) "Multitown public safety answering point" means any entity
- 222 <u>authorized by the Department of Emergency Services and Public</u>
- 223 Protection as a public safety answering point that is responsible for
- 224 <u>receiving and processing 9-1-1 calls for two municipalities and serves a</u>
- 225 <u>combined population of forty thousand or more, as determined by the</u>
- 226 <u>most recent population estimate by the Department of Public Health;</u>
- 227 <u>and</u>
- 228 (7) "Public safety answering point" has the same meaning as 229 provided in section 28-25.
- 230 (b) There is established a regional performance incentive program
- that shall be administered by the Secretary of the Office of Policy and
- 232 Management. On or before December 31, 2011, and annually
- thereafter, any regional council of governments, any two or more
- municipalities acting through a regional council of governments, any
- economic development district or any combination thereof may submit
- a proposal to the secretary for: (1) The joint provision of any service
- that one or more participating municipalities of such council or agency
- currently provide but which is not provided on a regional basis, (2) a
- 239 planning study regarding the joint provision of any service on a

regional basis, or (3) shared information technology services. A copy of said proposal shall be sent to the legislators representing said participating municipalities.

- (c) (1) A regional council of governments or an economic development district shall submit each proposal in the form and manner the secretary prescribes and shall, at a minimum, provide the following information for each proposal: (A) Service description; (B) the explanation of the need for such service; (C) the method of delivering such service on a regional basis; (D) the organization that would be responsible for regional service delivery; (E) a description of the population that would be served; (F) the manner in which regional service delivery will achieve economies of scale; (G) the amount by which participating municipalities will reduce their mill rates as a result of savings realized; (H) a cost benefit analysis for the provision of the service by each participating municipality and by the entity submitting the proposal; (I) a plan of implementation for delivery of the service on a regional basis; (J) a resolution endorsing such proposal approved by the legislative body of each participating municipality; and (K) an explanation of the potential legal obstacles, if any, to the regional provision of the service.
- (2) The secretary shall review each proposal and shall award grants for proposals the secretary determines best meet the requirements of this section. In awarding such grants, the secretary shall give priority to a proposal submitted by (A) any entity specified in subsection (a) of this section that includes participation of all of the member municipalities of such entity, and which may increase the purchasing power of participating municipalities or provide a cost savings initiative resulting in a decrease in expenses of such municipalities, allowing such municipalities to lower property taxes, and (B) any economic development district.
- (d) On or before December 31, 2013, and annually thereafter, in addition to any proposal submitted pursuant to this section, any municipality or regional council of governments may apply to the

secretary for a grant to fund: (1) Operating costs associated with connecting to the state-wide high speed, flexible network developed pursuant to section 4d-80, including the costs to connect at the same rate as other government entities served by such network; and (2) capital cost associated with connecting to such network, including expenses associated with building out the internal fiber network connections required to connect to such network, provided the secretary shall make any such grant available in accordance with the two-year schedule by which the Bureau of Enterprise Systems and Technology recommends connecting each municipality and regional council of governments to such network. Any municipality or regional council of governments shall submit each application in the form and manner the secretary prescribes.

(e) On or before December 31, 2016, and annually thereafter, any two or more municipalities establishing a regional emergency telecommunications center or multitown public safety answering point may apply to the secretary for a grant to fund operating costs associated with transitioning an existing public safety answering point to a regional emergency telecommunications center or multitown public safety answering point. Such municipalities shall submit such application in such form and manner as the secretary prescribes.

[(e)] (f) The secretary shall submit to the Governor and the joint standing committee of the General Assembly having cognizance of matters relating to finance, revenue and bonding a report on the grants provided pursuant to this section. Each such report shall include information on the amount of each grant, and the potential of each grant for leveraging other public and private investments. The secretary shall submit a report for the fiscal year commencing July 1, 2011, not later than February 1, 2012, and shall submit a report for each subsequent fiscal year not later than the first day of March in such fiscal year. Such reports shall include the property tax reductions achieved by means of the program established pursuant to this section.

Sec. 4. Section 7-478a of the general statutes is repealed and the

following is substituted in lieu thereof (*Effective January 1, 2020*):

307

308

309

310

311

312

313

314

315

316

317

318

319

334

335

336

337

(a) Two or more municipal employers participating in an interlocal agreement pursuant to sections 7-339a to 7-339l, inclusive, or undertaking the joint performance of emergency service telecommunications as a regional emergency telecommunications center or a multitown public safety answering point, as those terms are defined in section 28-24, as amended by this act, shall constitute a municipal employer as defined in section 7-467.

- (b) Each employee organization, as defined in said section 7-467, of the municipal employers constituting a municipal employer under this section shall retain representation rights for collective bargaining. If two or more employee organizations have representation rights, the employee organizations shall act in coalition for all collective bargaining purposes.
- 320 (c) When a municipal employer is constituted under this section the 321 collective bargaining agreement of each employee organization with 322 representation rights shall remain in effect. A decision by a municipal 323 employer to enter into or implement an interlocal agreement under sections 7-339a to 7-339l, inclusive, or to undertake the joint 324 325 performance of emergency service telecommunications as a regional 326 emergency telecommunications center or a multitown public safety 327 answering point, as those terms are defined in section 28-24, as 328 amended by this act, shall not be a subject of collective bargaining but 329 the impact of such agreement upon wages, hours and other conditions 330 of employment, shall be a subject of collective bargaining.
- Sec. 5. Subsection (a) of section 16-256g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective* 333 *January* 1, 2018):
 - (a) By June first of each year, the Public Utilities Regulatory Authority shall conduct a proceeding to determine the amount of the monthly fee to be assessed against each subscriber of: (1) Local telephone service, (2) commercial mobile radio service, as defined in 47

CFR Section 20.3, and (3) voice over Internet protocol service, as defined in section 28-30b, to fund the development and administration of the enhanced emergency 9-1-1 program. The authority shall base such fee on the findings of the Commissioner of Emergency Services and Public Protection, pursuant to subsection [(c)] (d) of section 28-24, as amended by this act, taking into consideration any existing moneys available in the Enhanced 9-1-1 Telecommunications Fund. The authority shall consider the progressive wire line inclusion schedule contained in the final report of the task force to study enhanced 9-1-1 telecommunications services established by public act 95-318*. The authority shall not approve any fee (A) greater than seventy-five cents per month per access line, (B) that does not include the progressive wire line inclusion schedule, or (C) for commercial mobile radio service, as defined in 47 CFR Section 20.3 that includes the progressive wire line inclusion schedule.

This act shall take effect as follows and shall amend the following sections:		
Section 1	January 1, 2018	28-24
Sec. 2	January 1, 2018	28-30a
Sec. 3	October 1, 2016	4-124s
Sec. 4	January 1, 2020	7-478a
Sec. 5	January 1, 2018	16-256g(a)

Statement of Legislative Commissioners:

In Section 1(d), brackets were inserted around "public safety" for clarity and consistency with other provisions of the section.

PS Joint Favorable Subst. -LCO

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: See Below

Municipal Impact: See Below

Explanation

The bill modifies certain definitions and grant programs concerning public safety answering points (PSAPs).

The bill allows municipalities to apply to the regional performance incentive program administered by the Office of Policy and Management (OPM) for grants to assist in the consolidation of PSAPs. The cost to both OPM and participant municipalities for such consolidations will be dependent upon the number and size of municipalities that apply and also the guidelines established by OPM for the program.

Beginning in FY 20, certain municipal PSAPs will become ineligible for state funding of telecommunications equipment which may result in a savings to the state's Enhanced-911 Telecommunications Fund.¹ The fund is anticipated to expend approximately \$20 million on such equipment in FY 16. The level of state savings will be dependent upon PSAP consolidations undertaken by municipalities. Municipalities no longer satisfying the funding criteria that do not consolidate are anticipated to incur costs for equipment procurement, installation, and training after FY 18.

The Out Years

¹ The Enhanced-911 Telecommunications Fund is funded by a surcharge on telephone lines paid by users.

State Impact: See Above

Municipal Impact: See Above

Sources: Core-CT Financial Accounting System

OLR Bill Analysis sHB 5544

AN ACT CONCERNING THE CONSOLIDATION OF PUBLIC SAFETY ANSWERING POINTS.

SUMMARY:

This bill incentivizes public safety answering points (PSAPs) that serve under 40,000 people or annually receive and process fewer than 12,000 9-1-1 calls (nonregionalized PSAP) to be a part of a regional emergency telecommunications center or a multitown PSAP (regionalized PSAP). As under existing law, PSAPs are 24-hour facilities that receive 9-1-1 calls and dispatch emergency response services (e.g., fire and police) or transfer the calls to other public safety agencies. Under the bill, a 9-1-1 call means a voice, text message, video, or image communication routed to a PSAP by dialing or accessing the digits 9-1-1.

By July 1, 2018, the bill requires a nonregionalized PSAP to inform the Office of State-Wide Emergency Telecommunications (OSET), which is a division within the Department of Emergency Services and Public Protection (DESPP), whether it intends to become part of a regionalized PSAP by July 1, 2020 or remain an individual PSAP. If a PSAP chooses to regionalize, it must provide written notice identifying the intended PSAP partner or partners.

Under the bill, a nonregionalized PSAP that decides not to regionalize, beginning FY 21 and each fiscal year after, will not be eligible to receive funds from the Enhanced 9-1-1 Telecommunications Fund. Beginning on the same date, nonregionalized PSAPs must reimburse OSET for certain equipment and training costs. OSET must, within 30 days of receiving such money, deposit it in the Enhanced 9-1-1 Telecommunications Fund. By law, the fund is used for expenses, as determined by the DESPP commissioner, associated with the

enhanced emergency 9-1-1 program.

By December 31, 2016 and annually thereafter, any two or more municipalities establishing a regionalized PSAP may apply to the Office of Policy and Management (OPM) secretary, in a manner and form he prescribes, for a grant to fund operating costs associated with transitioning from an existing PSAP to a regionalized PSAP.

Finally, the bill specifies that a (1) regionalized PSAP is a municipal employer for collective bargaining purposes and (2) decision by a municipal employer to join a regionalized PSAP is generally not subject to collective bargaining, except for a decision that impacts wages, hours, and other conditions of employment.

EFFECTIVE DATE: January 1, 2018, except the OPM grant provision, which is effective on October 1, 2016.

REGIONALIZED PSAPS

Under the bill, "multitown PSAPs" and "regional emergency telecommunications centers" are DESPP-authorized entities serving as PSAPs responsible for receiving and processing 9-1-1 calls for multiple municipalities (1) with a combined population of at least 40,000, as determined by the latest Department of Public Health population estimate, or (2) that annually receive and process 12,000 or more 9-1-1 calls. A "multitown PSAP" serves two municipalities, while a "regional emergency communications center" serves three or more.

PSAP COSTS

Beginning July 1, 2020, a nonregionalized PSAP must reimburse DESPP for the cost of replacing and maintaining 9-1-1 terminal equipment and system and network infrastructure and the cost associated with:

- 1. training and certifying telecommunicators,
- 2. the initial training of emergency medical dispatch personnel,
- 3. an emergency medical dispatch priority reference card set, and

4. emergency medical dispatch training and continuing education.

PSAPs may only receive DESPP-provided or -approved 9-1-1 terminal equipment, maintenance, training, and certification.

BACKGROUND

Related Bill

sSB 1071, reported favorably by the Public Safety and Security Committee, requires, among other things, the implementation of a "next generation 9-1-1 telecommunications system" that enables users to reach PSAPs by transmitting a text message, image, or video.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Yea 13 Nay 12 (03/10/2016)